

IN THE UNITED STATES
FIRST District Court,
Cleveland, OH. 1:22 CV 1363

Civil COVER Sheet

Out of Rule: Civil HABEAS CORPES

* * FILED * * JUDGE FLEMING

MAG. JUDGE BAUGHMAN

Now Comes

AUG 02 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

Richard P. Boone

Plaintiff:

-VS-

State of OH: Defendant
Lorain County Jail; Et.al

MARCH 4, 2022.

* * * *

Facts:

Pl. Now Comes, Richard P. Boone, pro
se herein after, Plaintiff, and
respectfully moves this Honorable
Court, to issue a Civil
Writ of Habeas Corpus, for
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Civil Violations in Violation of
his Constitutional Rights Under
the United States Constitution,
and the Constitution of the State
of Ohio.

F. 2 Plaintiff Respectfully Moves
this Court to File Out of Rule,
whereas, Defendant, has declined
to Allow access to Proper Forces
Required by this tribunal.

F. 3 Plaintiff is presently incarcerated
at Lorain County Jail, Elyria, OH.
44035.

F. 4 Plaintiff is being held on a Felony
Child Support Conviction that
is unlawful and in Direct Conflict
with the Ohio Supreme Court
Ruling in State of Ohio vs -
Pitman, wherein, that Court
Ruled that ARRESTAGE ORDERS
Only are NOT Felonies according
to Statute.

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F.5 The Case in Question HERE
is : Case No: 15CR091434, Shadie,
the Child in this case is, Cassidy
Dotson, born 3,28,1999. to whi
has not been A Resident of the
state of Ohio , since , 6-1-2012.
She was Receiving Support from
Plaintiff in the STATE of Florida.

F.6. Plaintiff was extradited to
Hocking County Jail in 2018 From
his home in Minket, W.Va. for
an Alleged Prostitution in above mentioned
case .

F.P. In 2015, under the advice of
Court appointed counsel, Plaintiff
entered a plea of Guilty to the
Non-support. Counsel to Plaintiff
that he had to take the deal at
that time before the law charged
and he could face a lot of time.

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F.8. Upon return to jail in 2018
the Court appointed Eric Downs,
to represent Plaintiff.

F.9. Plaintiff asked Ms. Downs
to withdraw his guilty plea
For ineffective assistance of
counsel; whereas, Plaintiff, found
upon his petition that the
Ohio Supreme Court in;
State of Ohio v. - Pithouse
ruled that an ATTACHAGE ORDER
by statute is not a felony.
there must be an active
support ORDER.

F.10. Eric Downs stated in open court
that she could file the withdrawal
of Guilty Plea, on the first
occassion that Judge Wether
sentenced Plaintiff to jail
time, but Eric Downs NEVER
Followed through.

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F.11. Eric Downs also failed out paper work from Plaintiff & and the child's mother, wherein, Amy Dotson, Cassidy's mother filed a motion for all forgiveness of and money owed. Eric Downs never requested a hearing on the motion.

F.12. Eric Downs failed to execute her duties, but Plaintiff & brought her failures up in open court; nothing was heard by the court, all fell on deaf ears and the court sentenced Plaintiff to county jail time.

Plaintiff,
F.13. My family has contacted this Honorable Court, and was told that focus would be mailed out to the jail. Plaintiff has not received them.

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Plaintiff, swears that
all the foregoing is true and
correct to the best of his knowledge
and secrets so under the seal
of Plaintiff of perjury..

Plaintiff, now prays this
Honorable Court will allow
him to proceed out of Rule
and Grant the Great Writ of
Habeas Corpus; also, that,
Counsel will be appointed; whereas,
Plaintiff is indigent at this
time; And he so pray's.

Plaintiff - Richard P. Boone
Loring Co. #11
9896 Murray Ridge Rd.
Elyria, OH.
44035

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